

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF OHIO**

**JUDGMENT IN A CIVIL CASE**

**KEVIN H. MCKENNA,**

**Plaintiff,**

**v.**

**NESTLE PURINA PETCARE CO.,**

**Defendant.**

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**Case No. C2-05-976**

**JUDGE ALGENON L. MARBLEY**

**Magistrate Judge Kemp**

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the January 3, 2011 Opinion and Order, McKenna's Motion to Set Aside Judgment for Fraud on the Court is **DENIED**. Nestle's Motion for Sanctions and to Declare Kevin McKenna a Vexatious Litigator is **DENIED IN PART AND GRANTED IN PART**. This case is **DISMISSED**.

Date: **January 3, 2011**

**James Bonini, Clerk**

s/Betty L. Clark

Betty L. Clark/Deputy Clerk